

## GENERAL INFORMATION

Applicant:	South Loop Investments, LLC (owner/applicant)
Location:	8100 26th Avenue South
Request:	Final Development Plan for a 8,040 square foot, 271 indoor and 80 outdoor seat restaurant and a 3,416 square foot retail building within the Alpha B planned development
Existing Land Use and Zoning:	Hotel / vacant land; zoned LINDAU MIXED USE (LX)
Surrounding Land Use and Zoning:	East—Offices; zoned CO-1(AR-17) North—Hotel; zoned LX(PD)(AR-17) South—Surface parking lot; zoned CO-2(PD)(AR-17) West—Mall of America; zoned CX-2(PD)(AR-17)
Comprehensive Plan Designation:	Lindau Mixed Use

## HISTORY

City Council Action:	12/16/13 – Approved rezoning from CO-1(AR-17), Commercial Office (Airport Runway) to LX(AR-17), Lindau Mixed Use (Airport Runway).
City Council Action:	12/16/13 – Approved a platting variance to defer park dedication for the plat of LINDAU LINK ADDITION and the preliminary and final plat of LINDAU LINK ADDITION.
City Council Action:	05/04/15 – Approved rezoning 8100 26th Avenue from LX(AR-17), Lindau Mixed Use(Airport Runway) to LX(AR-17)(PD), Lindau Mixed Use(Airport Runway)(Planned Development), a Preliminary Development Plan for Alpha B, which includes a hotel, restaurant, retail building and parking structure, and a Final Development Plan for a 5-story, 148 room hotel and a 326 space, four level parking structure.

## CHRONOLOGY

Planning Commission	06/16/16	Public hearing scheduled
City Council	06/27/16	Tentative meeting date

## DEADLINE FOR AGENCY ACTION

Application Date:	05/18/16
60 Days:	07/17/16
Extension Letter Mailed:	No
120 Days:	09/15/16
<b>Applicable Deadline:</b>	<b>07/17/16</b>
Newspaper Notification:	Confirmed – (06/02/16 Sun Current – 10 day notice required)
Direct Mail Notification	Confirmed – (500 buffer – 10 day notice required)

## STAFF CONTACT

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## PROPOSAL

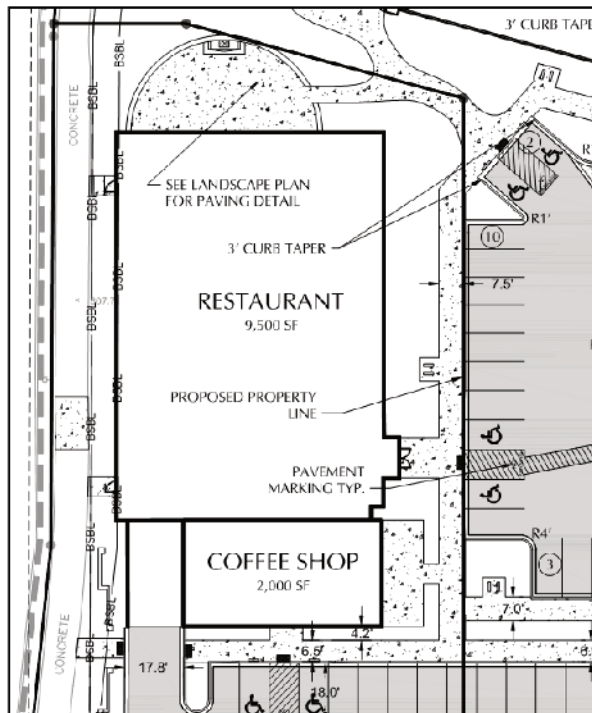
The applicant is seeking Final Development Plan approval for a three-tenant, 11,456 square foot restaurant and retail building within the Alpha B planned development. The primary tenant would be an approximately 8,000 square foot restaurant with 271 indoor seats and 80 outdoor patio seats. A public plaza north of the patio at the corner of 24<sup>th</sup> Avenue and Lindau Lane will be constructed with a sculptural element. The two remaining spaces would consist of a retail space or restaurant and a coffee shop with a small outdoor patio. The building is located along 24<sup>th</sup> Avenue South across the street from the Mall of America east parking ramp, although the primary building access would be from the shared parking lot on the east side of the building.

Alpha B is bound by Lindau Lane to the north, 24<sup>th</sup> Avenue to the west, 82<sup>nd</sup> Street to the south, and 26<sup>th</sup> Avenue to the east and is within the City of Bloomington's South Loop District. In 2015, the City Council approved the Alpha B Preliminary Development Plan (PDP) and FDP for the 148-room AC Marriott Hotel and a free-standing parking structure. Both the hotel and parking structure, Phase 1, are currently under construction. The current proposal represents Phase 2, and a forthcoming retail building on the southwest corner of the site would be Phase 3.

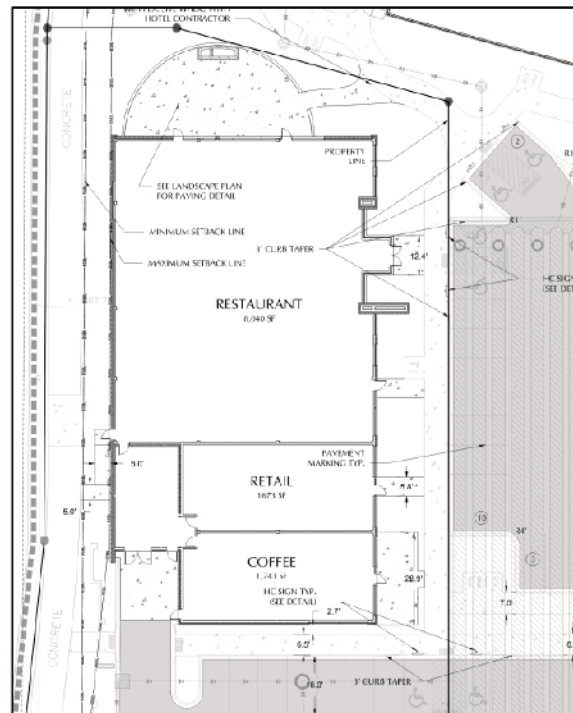
## ANALYSIS

### Land Use

The general configuration and development intensity was approved through the Alpha B PDP. The Phase 2 building that was depicted in the PDP is below on the left. The proposed Phase 2 building is shown below on the right. Apart from swapping some restaurant space for speculative retail space, and minor changes to primary building entrances, the overall building size and configuration of Phase 2 has remained the same. The FDP is consistent with the PDP.



Approved PDP



Proposed FDP

The property is guided and zoned Lindau Mixed Use. Restaurants and retail are permitted uses in the LX zoning district. Most restaurants within the City of Bloomington Zoning districts require a Conditional Use Permit. However, within the LX district restaurants are permitted uses – a Conditional Use Permit is not necessary.

### Code Compliance

Planned developments allow City Code development standard flexibility if the applicant demonstrates the project meets the findings and the City Council determines the flexibility provides a public benefit. Several deviations from City Code were approved through the PDP process, such as for floor area ratio (FAR). Table 1 identifies a partial list of City Code requirements for the LX Zoning District, what is proposed and if the proposal meets the Code

requirement. While an individual building, when reviewed in isolation, may not meet a particular Code requirement, the requirement may be met when considering the entire planned development (i.e., Alpha B Phases 1, 2, and 3). The sections that follow Table 1 provide additional detail regarding Code compliance and necessary revisions.

**Table 1: City Code Requirement Analysis**

Standard	Code Requirement	Provided	Compliance
Building setback along all streets	20 foot maximum	20 feet	Meets Code
Parking setback (along Street) (Section 21.301.06)	20 foot minimum	20 feet	Meets Code
Floor area ratio (Section 21.301.01)	0.7 minimum	0.55	Deviation to reduce FAR approved with PDP
Building size (Section 21.301.01)	10,000 square feet minimum	11,456 square feet	Meets Code
Ground level transparency – primary façade (24 <sup>th</sup> Ave.) (Section 21.301.03)	50 percent transparent	~12 percent	Revision required
Ground level transparency – secondary façade (north elevation) (Section 21.301.03)	25 percent transparent	~50 percent	Meets Code
Trash collection area (Section 19.51)	Fully-enclosed with interior access	Fully-enclosed with shared interior access	Meets Code
Free-standing sign setback (Article X)	20 feet	10 feet and >20 feet	Meets Code
Trees (Section 19.52)	11 trees	8 trees	Landscape plan for entire development exceeds City Code requirements
Shrubs (Section 19.52)	27 shrubs	91 shrubs	Meets Code – landscape plan for entire development exceeds City Code requirements

### **Building Design**

Exterior materials will consist of brick, glass, and metal panels. Brick and glass are permitted primary materials. Metal panels may be permitted as primary materials, provided they are found to meet City policies following a thorough staff review. This review includes, but is not necessarily limited to, metal panel specification, finish, durability, and warranty information. The applicant is aware of these standards and has confirmed they will meet or exceed any material requirements.

There are additional structure design standards within Bloomington’s mixed-use districts. To promote attractive street-level design, pedestrian activity and comfort, the ground level portion of a primary building façade between two and ten feet above grade that is adjacent to a street must consist of a minimum of 50 percent transparent windows. Given the proposed location of the building immediately adjacent to 24<sup>th</sup> Avenue but set back significantly from Lindau Lane,

24<sup>th</sup> Avenue South is considered the primary building façade when considering street level design. The west building elevation, which faces 24<sup>th</sup> Avenue South, consists of approximately 12 percent transparent windows. Acknowledging transparency requirements may not be attainable due to “back of house” operations, Section 21.301.03 establishes substitutions for transparent windows. In order to take advantage of the transparency exemption, two of the following three substitutions must be incorporated into the façade design: wall design, building façade embellishments; display boxes, framed display boxes attached to exterior wall; and permanent art, non-commercial or graphic design. While the proposed west façade incorporates some transparent windows, enhanced building material design, and a green screen, staff only considers one substitution (wall design) to be met. The applicant must revise the west elevation to incorporate at least one additional design element as required by City Code.

A recent example of permanent art used as a substitution is at the Fresh Thyme grocery store on American Boulevard east of Penn Avenue. There, permanent sculptural stainless steel plates were fabricated and installed along American Blvd. wrapping around the northeast building corner. The applicant may use the Fresh Thyme art installation as inspiration for permanent art on the Alpha B Phase 2 building.

#### **Landscaping, Screening and Lighting**

Landscaping requirements for the entire planned development total 79 trees and 196 shrubs. The landscape plan approved with the PDP and Phase 1 FDP included 117 trees and 950 shrubs, which significantly exceeds City Code requirements. The landscape plan for the Phase 2, when reviewed individually, is deficient three trees but exceeds the shrub requirement. Phase 2 is a part of a larger planned development and the tree count must be taken across the entire planned development.

A lighting plan for the shared parking lot and parking structure has been approved, but did not include lighting photometrics beyond Phase 1 improvements. City Code requires elevated lighting levels for primary and secondary building entrances as well as pedestrian crossings. Prior to the issuance of a building permit, a lighting plan for the Phase 2 building would need to be reviewed and approved by staff.

#### **Access, Circulation, and Parking**

Access and circulation plans were approved through the PDP and Phase 1 FDP process. No changes are proposed to the overall access and circulation plan. Access from public right-of-way would remain from 26<sup>th</sup> Avenue South and E. 82<sup>nd</sup> Street. No vehicle access is proposed along 24<sup>th</sup> Avenue and Lindau Lane.

Parking is calculated for the entire planned development because of the shared surface parking lot and parking structure. Table 2 below identifies the parking requirement for the Alpha B development. Based on the proposed uses, hotel, restaurants, and retail, the parking requirement is 426 stalls. The applicant is proposing 425 stalls, which represents a one-stall deviation from City Code. Through the PDP and Phase 1 FDP process, City Council approved a three-stall

deviation from City Code – the proposed parking is consistent with this approval and no further deviation is required.

**Table 2: Alpha B Parking Analysis**

Use	Unit (rooms, seats, sq ft)	Code Requirement	Spaces Required
Hotel rooms	148	1.1 spaces per guestroom	163
Restaurants (hotel/NOVA restaurant/restaurant #3)	373	1 spaces per 2.5 seats (indoor)	149
	113	1 space per 5 seats (outdoor) and 1 space per 2.5 seats for portion over 20% of indoor seats	30
Retail building and retail tenant	16,243	55 spaces, plus 1 space per 220 square feet of gross floor area over 10,000 square feet	83
<b>Total Requirement</b>			<b>426</b>
<b>Spaces Provided</b>			<b>425</b>
<b>Deviation</b>			<b>1</b>
<b>Deviation (%)</b>			<b>0.14</b>

### **Airport Zoning**

The proposed restaurant/retail building is subject to the Airport Zoning Height limits because of the proximity to the airport runway and cannot exceed 900 to 910 feet in elevation above mean sea level, or 90-100 feet in height above grade. The proposed finished building height is 24 feet above grade, so there is no conflict with maximum height attributed to Airport Overlays. The applicant will need to obtain an Airport Zoning Permit, however, if a crane is used for construction and the total crane height exceeds 60 feet above grade. If no crane is used, or the crane does not exceed 60 feet in height above grade, no action pertaining to Airport Zoning requirements is necessary.

### **Stormwater Management**

A stormwater management plan was submitted for the overall site. Any changes to that stormwater management plan will require a new review of the plans.

### **Utilities**

The overall utility plan was submitted with the Preliminary Development Plan and many of the utilities were installed with the first phase of the project. There is one water service which should either be reused or properly abandoned at the main under 24<sup>th</sup> Avenue.

**Traffic Analysis**

A traffic analysis was completed for the Preliminary Development Plan (PDP). There are no significant changes from the PDP that would impact the already completed traffic analysis.

**Transit and Transportation Demand Management (TDM)**

This redevelopment will require a Tier 2 TDM plan, which allows the property owner to choose from a menu of TDM options. The owner has not submitted a Tier 2 TDM checklist with the application.

**Status of Enforcement Orders**

There are no open enforcement orders for this property.

**FINDINGS**

**Section 21.501.03(e)(1-7) - Final Development Plans**

- (1) The proposed development is not in conflict with the Comprehensive Plan;**
  - The Comprehensive Plan designation is Lindau Mixed Use, allowing for dense mix of office, hotel, retail and service uses. A restaurant and retail building are permitted allowed uses in the LX zoning district. There would be no conflict between the proposed development and the Comprehensive Plan.
- (2) The proposed development is not in conflict with any adopted District Plan for the area;**
  - The proposed development is consistent with the South Loop District Plan (SLDP).
- (3) The proposed development is not in conflict with the approved Preliminary Development Plan for the site;**
  - The Preliminary Development Plan depicting a 11,500 square foot restaurant and coffee shop building was approved in 2015. The proposed Final Development Plan includes a 11,456 square foot restaurant, coffee shop, and retail building in the same general configuration on the site. The Preliminary and Final Development Plan are consistent with each other.
- (4) All deviations from City Code requirements are in the public interest and within the parameters allowed under the Planned Development Overlay Zoning District or have previously received variance approval;**

- All deviations proposed are in the public interest and meet the intent of the code. The proposed deviations are within the parameters of the Planned Development Overlay District and were previously approved through the Preliminary Development Plan.
- (5) **The proposed development is of sufficient size, composition, and arrangement that its construction, marketing, and operation is feasible as a complete unit without dependence upon any subsequent unit;**
- The planned development is of sufficient size, composition, and arrangement that its construction, marketing, and operation are feasible as a complete unit without dependence upon any subsequent unit.
- (6) **The proposed development will not create an excessive burden on parks, schools, streets, and other public facilities and utilities which serve or are proposed to serve the planned development; and**
- Development projections within the SLDP have assisted in planning for and sizing of future infrastructure. A development of this size is not anticipated to create an excessive burden on streets, other public facilities and utilities serving or proposed to serve the planned development.
- (7) **The proposed development will not be injurious to the surrounding neighborhood or otherwise harm the public health, safety and welfare.**
- The planned development will not have an adverse impact on the reasonable enjoyment of neighborhood or harm public health, safety, and welfare.

## RECOMMENDATION

Staff recommends the following motion:

In Case PL2016-85, having been able to make the required findings, I move to recommend City Council approval of a Final Development Plan for a 8,040 square foot, 271 indoor and 80 outdoor seat restaurant and a 3,416 square foot retail building within the Alpha B planned development at 8100 26<sup>th</sup> Avenue South, subject to the conditions and Code requirements attached to the staff report.